

IC 32-28-7

Chapter 7. Mechanic's Liens and Liens on Public Improvements; Foreclosures and Expiration

IC 32-28-7-1

Actions to foreclose or enforce

Sec. 1. An action may not be brought or maintained in Indiana to foreclose or enforce a mechanic's lien filed under Indiana law when the debt secured by the lien, as shown by the record of the lien, has been due more than one (1) year. If the record of the lien does not show when the debt secured by the lien became due, an action to foreclose or enforce the lien may not be brought or maintained in Indiana more than one (1) year after the filing date of the lien.

As added by P.L.2-2002, SEC.13.

IC 32-28-7-2

Record; notice of lien

Sec. 2. A mechanic's lien filed under Indiana law expires one (1) year after the debt secured by the lien becomes due, as shown by the record of the lien. If the record of the mechanic's lien does not show when the debt secured by the lien becomes due, the mechanic's lien expires one (1) year after the filing date of the lien.

As added by P.L.2-2002, SEC.13.

IC 32-28-7-3

Public improvement assessments; expiration of liens

Sec. 3. (a) Except as provided in subsection (b), the lien of an assessment for a:

- (1) street;
- (2) sewer;
- (3) sidewalk;
- (4) ditch; or
- (5) other public improvement;

expires five (5) years after the assessment (including any installment payments) is due and payable, as shown by the record creating the lien.

(b) If an assessment is payable in installments, an action to enforce the lien may be brought within fifteen (15) years after the date of the approval of the record creating the lien. After the expiration of this time period, upon the request of the owner of record of the encumbered real estate, the custodian of the record evidencing the lien, in the jurisdiction in which the real estate is situated, shall certify on the record that the lien of the assessment for street, sewer, sidewalk, ditch, or other public improvement is satisfied and released by lapse of time and that the encumbered real estate is released from the lien.

As added by P.L.2-2002, SEC.13.

IC 32-28-7-4

Action to foreclose or enforce liens

Sec. 4. If an action to enforce a lien to which this chapter applies was commenced in Indiana before the lien expired, the lien as it existed at the time the action commenced may be enforced.

As added by P.L.2-2002, SEC.13.